

REMARKS

I. General

Claims 1-18 and 20-36 are pending in the present application. Claim 16 has previously been amended and claim 19 has previously been cancelled. The issues in the current Office Action are as follows:

- Claims 1-3, 9-10 and 30-33 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 7,065,761 to Foster et al. (hereinafter *Foster*).
- Claims 1-18, 20-28 and 30-36 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,438,671 to Doing et al. (hereinafter *Doing*).
- Claim 29 is rejected under 35 U.S.C. § 103(a) as being unpatentable over *Doing* as applied to claims 1-28 and 30-36 above, and further in view of U.S. Patent No. 6,457,008 to Rhee et al. (hereinafter *Rhee*).

Applicant respectfully traverses the rejections and requests reconsideration and withdrawal thereof in light of the remarks contained herein.

II. Claim Rejections

A. Rejection under 35 U.S.C. § 102(e) (*Foster*)

On pages 2-4, claims 1-3, 9-10 and 30-33 are rejected under 35 U.S.C. § 102(e) as being anticipated by *Foster*. Applicant traverses the rejection and asserts that these claims are allowable, at least, for the reasons stated below.

To anticipate a claim under 35 U.S.C. § 102, a single reference must teach each and every element of the claim. *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631 (Fed. Cir. 1987). In fact, “[t]he identical invention must be shown in as complete detail as is contained in the . . . claim.” *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236 (Fed. Cir. 1989). Furthermore, for a reference to be anticipatory, “[its] elements must be arranged as required by the claim.” *In re Bond*, 910 F.2d 831 (Fed. Cir. 1990), cited in M.P.E.P. § 2131. Applicant

respectfully submits that *Foster* fails to teach all elements of claims 1-3, 9-10 and 30-33 for the reasons provided below.

Independent Claim 1

Independent claim 1 recites:

A method of managing configuration data for a multi-cell computer system, the method comprising:

storing configuration data for a given multi-cell computer system to nonvolatile memory of at least one cell of said given multi-cell computer system; and

storing a corresponding identifier to said nonvolatile memory of said at least one cell that uniquely identifies the given multi-cell computer system to which the stored configuration data corresponds. (Emphasis added).

Foster does not teach “storing configuration data ... to at least one cell of said given multi-cell computer system” and “storing a corresponding identifier to said nonvolatile memory of at least one cell that uniquely identifies the given multi-cell computer system,” as recited by claim 1. The Office Action asserts on page 2 thereof that system 10 of Figure 1 of *Foster* provides a multi-cell computer system. The Examiner appears to contend that system 10 comprises multiple cells in that it contains multiple logical partitions 12 (as shown in Figure 1 of *Foster*). While the present application recognizes that a given partition could itself be a multi-cell system that comprises multiple cells (as noted by the Office Action at page 2), *Foster* does not disclose that any of its logical partitions 12 are so implemented to contain multiple cells. Thus, it appears improper to read each individual logical partition 12 as a multi-cell system. However, system 10 of *Foster* fails to satisfy the elements of claim 1, as discussed below.

First, *Foster* does not teach storing configuration data for a given multi-cell computer system to nonvolatile memory of at least one cell of the given multi-cell computer system. As shown in Figure 1 of *Foster*, configuration data for system 10 is stored as LPAR tables 22 to NVRAM 14. NVRAM 14 is not shown or described as being part of any of the logical partitions 12 (which the Examiner considers to be the recited at least one cell). Further, even if an individual logical partition 12 of *Foster* were properly considered to be a multi-cell system (as apparently alleged by the Examiner on page 2 of the Office Action), *Foster* does not teach that

any cell contained in such a logical partition 12 stores configuration data. Again, the configuration data appears to be stored external to the logical partitions 12 (and any cells contained therein) as *Foster* describes storing the LPAR tables 22 to NVRAM 14. Thus, *Foster* fails to satisfy at least this element of claim 1.

Further, *Foster* does not teach storing a corresponding identifier to said nonvolatile memory of said at least one cell that uniquely identifies the given multi-cell computer system. For instance, no such corresponding identifier appears to be stored to nonvolatile memory of any of the logical partitions 12 in *Foster*. In addition, *Foster* does not even appear to disclose an identifier that uniquely identifies the given multi-cell computer system (i.e., system 10 in the Examiner's application of *Foster*), but instead appears to merely disclose identifiers of the individual logical partitions (cells), which are stored to the LPAR tables 22, *see* col. 2, lines 60-61 ("Each record may include fields containing an ID of the logical partition 12....").

In view of the above, *Foster* fails to teach all elements of claim 1, and therefore the rejection of claim 1 should be withdrawn.

Independent Claim 30

Independent claim 30 recites:

A system comprising:
a plurality of cells in a multi-cell system, wherein multiple ones of said cells include non-volatile memory to which are stored configuration data and a corresponding identifier that uniquely identifies a given multi-cell partition to which the cell's respective stored configuration data corresponds. (Emphasis added).

Foster fails to teach at least the above-emphasized element of claim 30 for reasons similar to those discussed above with claim 1. Therefore, the rejection of claim 30 should be withdrawn.

Dependent Claims

Claims 2-3, 9-10 and 31-33 each depend either directly or indirectly from one of independent claims 1 and 30. Since Applicant believes that claims 1 and 30 are of patentable merit (see discussion above), it follows *a fortiori* that these dependent claims must also be allowable because they carry with them all of the limitations of the claims from which they depend in addition to their own supplied limitations.

B. Rejection under 35 U.S.C. § 102(b) (*Doing*)

On pages 5-13, claims 1-18, 20-28 and 30-36 are rejected under 35 U.S.C. § 102(b) as being anticipated by *Doing*.

Independent Claim 1

Independent claim 1 recites:

A method of managing configuration data for a multi-cell computer system, the method comprising:

storing configuration data for a given multi-cell computer system to nonvolatile memory of at least one cell of said given multi-cell computer system; and

storing a corresponding identifier to said nonvolatile memory of said at least one cell that uniquely identifies the given multi-cell computer system to which the stored configuration data corresponds. (Emphasis added).

Doing fails to teach at least the above-emphasized elements of claim 1. While *Doing* discloses logical partitioning of a system, it does not teach storing configuration data for a given multi-cell computer system to nonvolatile memory of at least one cell. For instance, *Doing* does not disclose storing configuration data for the multi-cell computer system to nonvolatile memory of a given partition (or to any cell that might be contained within a given partition). The Office Action asserts on page 5 thereof that the “special purpose registers” of *Doing* satisfy this element of claim 1. Applicant respectfully disagrees as discussed below.

First, *Doing* does not appear to disclose that the “special purpose registers” are nonvolatile memory of at least one cell of the multi-cell computer system. That is, *Doing* does

not appear to disclose that the special purpose registers are nonvolatile memory of one of its logical partitions (or any cell that might be contained within a given partition). Additionally, the data being stored to the special purpose registers in *Doing* do not appear to be “configuration data for a given multi-cell computer system,” as recited by claim 1. Rather, the information stored to such registers provide state information for active and dormant threads of execution, *see e.g.*, col. 11, lines 29-50 of *Doing*.

Furthermore, *Doing* does not teach an identifier that “identifies the given multi-cell computer system to which the stored configuration data corresponds” (emphasis added). While the system 100 of Figure 1 of *Doing* may be a multi-cell computer system, *Doing* does not disclose an identifier that identifies such system 100. Rather, *Doing* explicitly states that the identifier contained in the configuration registers is an identifier assigned to the logical partition to which the processor belongs. *Doing*, column 5, lines 65-67; column 13, lines 5-7. Thus the identifier of *Doing* identifies the logical partition to which a processor is assigned, not the “multi-cell system to which the stored configuration data corresponds” as recited by claim 1. In addition, the identifier does not appear to be stored to at least one cell (e.g., at least one partition) of the multi-cell system. Additionally, even if an individual logical partition of *Doing* were properly considered to be a multi-cell system, *Doing* does not teach that any cell contained in such a logical partition stores an identifier of the multi-cell system (i.e., an identifier of the logical partition that contains such cell).

Accordingly, *Doing* fails to teach at least the above-identified element of claim 1, and therefore the rejection of claim 1 should be withdrawn.

Independent claim 11

Independent claim 11 recites:

determining a unique identifier for a given partition of the multi-cell computer system;
determining if at least one cell in said given partition has an identifier stored to its respective nonvolatile memory that matches said determined unique identifier for said given partition; and
if determined that at least one cell of said given partition has a stored identifier matching said determined unique identifier for said given partition,

using configuration data stored to that cell's nonvolatile memory for configuring the given partition. (Emphasis added).

Doing fails to teach at least the above-emphasized elements of claim 11 for reasons similar to those discussed above with claim 1. Therefore, the rejection of claim 11 should be withdrawn.

Independent Claim 16

Independent Claim 16 recites:

A method comprising:
storing configuration data for a multi-cell computer system locally to nonvolatile memory of each of a plurality of cells, wherein said storing configuration data comprises storing corresponding identifier data that uniquely identifies a multi-cell system to which the configuration data corresponds;
implementing the plurality of cells in a given multi-cell system; and
determining if any of said cells possess the proper configuration data corresponding to the given multi-cell system. (Emphasis added).

Doing fails to teach at least the above-emphasized element of claim 16 for reasons similar to those discussed above with claim 1. Therefore, the rejection of claim 16 should be withdrawn.

Independent Claim 23

Independent Claim 23 recites:

A method of managing configuration data for a multi-cell system having a plurality of cells under the control of a common operating system, the method comprising:

during a boot-up process of the multi-cell system, a first cell determining whether it has stored in its non-volatile memory current configuration data for the multi-cell system;

if determined that the first cell has the current configuration data, the first cell providing this stored configuration data to other cells of said multi-cell system and using this stored configuration data for configuring the multi-cell system; and

if determined that the first cell does not have the current configuration data, determining if any cell of said multi-cell system has stored in its non-volatile memory the current configuration data for the system, and if determined that a cell of said multi-cell system has said current configuration data, then providing this configuration data to other of said cells of said multi-cell system and using

this stored configuration data for configuring the multi-cell system. (Emphasis added).

Doing fails to teach at least the above-emphasized element of claim 23 for reasons similar to those discussed above with claim 1. Therefore, the rejection of claim 23 should be withdrawn.

Independent Claim 26

Independent Claim 26 recites:

A method comprising:
during a first boot-up process of a multi-cell partition, distributing configuration data for the multi-cell partition to each of the cells of said multi-cell partition, wherein the configuration data is stored to non-volatile memory in each of the cells, and storing to said non-volatile memory of each cell a corresponding identifier that identifies that the configuration data corresponds to said multi-cell partition; and

during a second boot-up process of said multi-cell partition, a first one of the cells included therein determining whether a unique identifier for the multi-cell partition matches with the first cell's stored identifier, wherein if the first cell's stored identifier matches the unique identifier of the multi-cell partition, then determining that the configuration data stored to non-volatile memory of said first cell is the current configuration data for configuring the multi-cell partition. (Emphasis added).

Doing fails to teach at least the above-emphasized elements of claim 26 for reasons similar to those discussed above with claim 1. Therefore, the rejection of claim 26 should be withdrawn.

Independent Claim 30

Independent claim 30 recites:

A system comprising:
a plurality of cells in a multi-cell system, wherein multiple ones of said cells include non-volatile memory to which are stored configuration data and a corresponding identifier that uniquely identifies a given multi-cell partition to which the cell's respective stored configuration data corresponds. (Emphasis added).

Doing fails to teach at least the above-emphasized element of claim 30 for reasons similar to those discussed above with claim 1. Therefore, the rejection of claim 30 should be withdrawn.

Independent claim 34

Independent claim 34 recites:

A system comprising:
non-volatile storage means, on each of a plurality of cells of a particular multi-cell partition, for storing configuration data;
non-volatile storage means, on each of said plurality of cells, for storing an identifier that uniquely identifies a multi-cell system to which the cell's respective stored configuration data relates; and
means, on at least one of said plurality of cells, for determining if said configuration data stored to any of said plurality of cells relates to said particular multi-cell partition. (Emphasis added).

Doing fails to teach at least the above-emphasized element of claim 34 for reasons similar to those discussed above with claim 1. Therefore, the rejection of claim 34 should be withdrawn.

Dependent Claims

Claims 2-10, 12-15, 17-22, 24-25, 27-28, 31-33, and 35-36 each depends either directly or indirectly from one of independent claims 1, 11, 16, 23, 26, 30, and 34. Since Applicant believes that claims 1, 11, 16, 23, 26, 30, and 34 are of patentable merit (see discussion above), it follows *a fortiori* that these dependent claims must also be allowable because they carry with them all of the limitations of the claims from which they depend in addition to their own supplied limitations.

C. Rejection under 35 U.S.C. § 103(a) over *Doing* further in view of *Rhee*

On pages 13-15, claim 29 is rejected under 35 U.S.C. § 103(a) as being unpatentable over *Doing* as applied to claims 1-28 and 30-36 above, and further in view of *Rhee*. Dependent claim 29 depends from independent claims 26, and thus inherit all limitations of its respective independent claim. As discussed above, claim 26 is of patentable merit over *Doing*. Further, *Rhee* is not relied upon as disclosing the deficiencies noted above for *Doing*, nor does it appear to do so. Accordingly, it is respectfully submitted that dependent claim 29 is allowable at least because of its dependency from independent claim 26 for the reasons discussed above.

III. Conclusion

In view of the above, Applicant believes the pending application is in condition for allowance.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 08-2025, under Order No. 200313407-1 from which the undersigned is authorized to draw.

<p>I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4).</p> <p>Dated: November 30, 2007</p> <p>Signature: <u>Donna Dobson</u> (Donna Dobson)</p>
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